

Nebraska Public Service Commission

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SEP 25 2008

FCC Mail Room

September 22, 2008

Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, SW, Room TW-A306
Washington, DC 20554

Karen Majcher
Vice President, High Cost and Low Income Division
Universal Service Administrative Company
2000 L Street, NW, Suite #200
Washington, DC 20036

RE: Certification of Support for Rural and Non-Rural High-cost Carriers
Pursuant to 47 C.F.R Sections 54.313-314, CC Docket Nos. 96-45 and 00-256

To the Filing Representatives:

The Nebraska Public Service Commission hereby certifies that all federal high cost support provided to the listed rural and non-rural carriers in this state, will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, consistent with section 254(e) of the Communications Act of 1934, as amended. This includes High Cost Loop (HCL) support, Local Switching Support (LSS), High Cost Model (HCM) support, and high cost support received pursuant to the purchase of exchanges.


Attached is Application No. NUSF-25, Progression Order No. 22, as approved by the Nebraska Public Service Commission on September 16, 2008. The Commission order lists those rural and non-rural carriers certified by the Nebraska Public Service Commission pursuant to sections 54.313 and 54.314 of the FCC's rules (47 C.F.R. §§ 54.313, 54.314), which requires states to establish an annual certification process for rural and non-rural carriers receiving federal high cost support. As requested by the Universal Service Administrative Company, a listing of these carriers and their assigned study area code (SAC), if known, has been included as an attachment to this letter.

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List ABCDE

Ms. Marlene Dortch, Secretary, Federal Communications Commission
Ms. Karen Majcher, Universal Service Administration Company
September 22, 2008
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Additionally, pursuant to section 54.316 of the Federal Communication Commission (FCC) rules, the above referenced order certifies the reasonable comparability of residential rates in rural area of Nebraska, served by non-rural incumbent local exchange carriers (ILECs) to urban rates on a national level.

Sincerely,



Anne Boyle, Chair

AB/bz

Enclosure

Nebraska Public Service Commission

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MICHAEL G. HYBL

September 16, 2008

CERTIFICATION

To Whom It May Concern:

I, Mike Hybl, Executive Director of the Nebraska Public Service Commission, hereby certify that the enclosed is a true and correct copy of the original order made and entered in the proceeding docketed as Application No. NUSF-25, Progression Order # 22/NUSF-66, on the 16th day of September, 2008. The original order is filed and recorded in the official records of the Commission.

Please direct any questions concerning this order to Sue Vanicek, Director, at 402-471-3101.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the Nebraska Public Service Commission, Lincoln, Nebraska, this 16th day of September, 2008.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Hybl".

Mike Hybl
Executive Director

MH:bz

Enclosure

cc: Nebraska ETCs/NETCs

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) APPLICATION NO. NUSF-25
Public Service Commission, on) Progression Order No. 22
its own motion, seeking to)
establish guidelines for the)
purpose of certifying the use)
of federal universal service)
support.)

In the Matter of the Nebraska) APPLICATION NO. NUSF-66
Public Service Commission, on)
its own motion, seeking to)
establish guidelines for the)
purpose of certifying the use)
of state universal service)
support.) Entered: September 16, 2008

BY THE COMMISSION:

O P I N I O N A N D F I N D I N G S

1. On May 15, 2007, the Commission established a process for verifying whether all federal high-cost support will be used for its intended purpose, pursuant to 47 C.F.R § 54.314 and CC Docket No. 96-45 and whether all state high-cost support will be used for its intended purpose pursuant to Neb. Rev. Stat. § 86-324. See Application Nos. NUSF-25/NUSF-66, Progression Order #18 (May 15, 2007).

2. By June 1st of each year, each eligible telecommunications carrier and Nebraska eligible telecommunications carrier, is required to file with the NTIPS Department an adequate description of how the high-cost funding support has been used and an adequate description of how high-cost support will be used during the next year.

3. Upon its initial review, the Commission finds that the following carriers adequately filed information demonstrating that it will use federal high-cost support for its intended purpose, pursuant to 47 C.F.R § 54.314 and CC Docket No. 96-45:

Allo Communications, LLC
Alltel Wireless
Arapahoe Telephone Company dba ATC Communications
Arlington Telephone Company

Benkelman Telephone Company, Inc.
 Blair Telephone Company
 Cambridge Telephone Company
 Citizens Telecommunications Company of Nebraska, Inc.,
 aka Frontier
 Clarks Telecommunications Company
 Consolidated Telco, Inc.
 Consolidated Telecom, Inc.
 Consolidated Telephone Company
 Cozad Telephone Company
 Curtis Telephone Company, Inc.
 Dalton Telephone Company, Inc.
 Diller Telephone Company
 Eastern Nebraska Telephone Company
 Elsie Communications, Inc.
 Glenwood Telephone Membership Corporation
 Golden West Telecommunications Cooperative, Inc.
 Great Plains Communications, Inc.
 Hamilton Telephone Company
 Hartington Telecommunications Company, Inc.
 Hartman Telephone Exchanges, Inc.
 Hemingford Cooperative Telephone Company
 Henderson Cooperative Telephone Company
 Hershey Cooperative Telephone Company
 Hooper Telephone Company dba WestTel Systems
 Huntel Cablevision dba Huntel Communications
 K & M Telephone Company, Inc.
 Keystone-Arthur Telephone Company
 Mobius Communications
 Nebraska Central Telephone Company
 Nebraska Technology and Telecommunications, Inc.
 NE Colorado Cellular d/b/a Viaero Wireless
 Northeast Nebraska Telephone Company
 Orbitcom, Inc.
 Pierce Telephone Company, Inc.
 Pinpoint Communications
 Plainview Telephone Company, Inc.
 Qwest Corporation
 Rock County Telephone Company
 Soddtown Telephone Company
 Southeast Nebraska Telephone Company
 Stanton Telecom, Inc.
 Three River Telco
 Three River Communications
 United Telephone Company of the West d/b/a Embarq
 U.S. Cellular Corporation (USCC)

Vivian Telephone Company
 Wauneta Telephone Company
 Windstream Nebraska Inc.

4. Accordingly, the Commission will provide certification to the Administrator of the federal high-cost universal service support mechanisms and the Federal Communications Commission, that the above-listed carriers will use federal high-cost support only for the provision, maintenance, and upgrading of facilities and/or service for which the support is intended in accordance with section 254(e) of the Telecommunications Act of 1996, as amended.

5. The Commission may continue to review the ETC/NETC filings on an ongoing basis. The Commission may modify its requirements or thresholds for certification. Therefore, the certification in this Order shall not be construed as precedent as to whether levels of investment or types of investment will be considered acceptable by the Commission in the future.

6. As such, the NTIPS Department should continue its review of the ETC/NETC filings and notify the carrier with any concerns with the June, 2008 ETC/NETC verification filings. The Commission will give the carrier an opportunity for a hearing with respect to any concerns which would cause the Commission to conclude that an ETC's or NETC's high-cost certification should be de-certified or revoked.

7. On October 27, 2003, the Federal Communications Commission (FCC) released its Order on Remand, Further Notice of Proposed Rulemaking, and Memorandum Opinion and Order in CC Docket 96-45, FCC 03-249 (Order on Remand). In that Order, the FCC expanded the state certification process. Each state is required to review its rates in rural, high-cost areas served by non-rural carriers annually to assess the comparability of those rates to urban rates nationwide. States are required to file a certification with the FCC by October 1st annually, stating whether its rates are reasonably comparable to nationwide urban rates, or in the alternative, explain why they are not.

8. The Commission finds that the following non-rural carrier(s) charge rural rates which fall below the safe harbor and, which are therefore presumably reasonably comparable:

Qwest Communications Corporation (Qwest)
 Windstream Nebraska Inc.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Department certify to the Administrator of the federal high-cost universal service support mechanisms and the Federal Communications Commission, that the above-listed eligible telecommunications carriers will use federal high-cost support only for the provision, maintenance, and upgrading of facilities and/or service for which the support is intended, in accordance with section 254(e) of the Telecommunications Act of 1996, as amended.

IT IS FURTHER ORDERED that the Department certify to the Federal Communications Commission that the above-listed non-rural carriers are charging rates reasonably comparable to the nationwide urban rate benchmark as described herein.

MADE AND ENTERED at Lincoln, Nebraska this 16th day of September, 2008.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Frank E. Landis

Robert Johnson

Tim Schram

//s// Anne C. Boyle
//s// Frank E. Landis

Anne C. Boyle
Chairman

ATTEST:
Phillip R. Dill
Executive Director

Application No. NUSF-25/NUSF-66, Progression Order No. #22
Federal High Cost Support - Study Area by Carrier

<u>COMPANY NAME</u>	<u>STUDY AREA CODE (SAC)</u>
Allo Communications	379010
Alltel Wireless	Not Known
Arapahoe Telephone (ATC Communications)	371516
Arlington Telephone Company	371517
Benkelman Telephone Company	372455
Blair Telephone Company	371524
Cambridge Telephone Company	371526
Citizens Telecommunications	371128
Clarks Telecommunications Co.	371531
Consolidated Telco, Inc.	371530
Consolidated Telecom, Inc. frmly Home Telephone and Eustis Telephone	371562 371545
Consolidated Telephone Co.	371532
Cozad Telephone Co.	371534
Curtis Telephone Co.	371536
Dalton Telephone Co.	371537
Diller Telephone Co.	371540
Eastern Nebraska Telephone Co.	371542
Elsie Telephone Co.	371518
Glenwood Telephcne	371553
Golden West Telecommunications Coop	391659
Great Plains Communications	371577
Hamilton Telephcne Co.	371555
Hartington Telecommunications Co.	371556
Hartman Telephone	371557
Hemingford Cooperative	371558
Henderson Cooperative	371559

Hershey Cooperative	371561
Hooper Telephone Company dba Westel	371563
Huntel Cablevision dba Huntel Communications	379016
K&M Telephone Company	371565
Keystone-Arthur Telephone	371567
Mobius Communications	379014
Nebraska Central Telephone	371574
Nebraska Technology and Telecommunications	379004
NE Colorado Cellular dba Viaero Wireless	379008
Northeast Nebraska Telephone	371576
Orbitcom, Inc.	379009
Pierce Telephone Co.	371581
Pinpoint Communications	379003
Plainview Telephone	371582
Qwest Communications Corporation	375143
Rock County Telephone	371586
Sodtown Telephone	371590
Southeast Nebraska Telephone	371591
Stanton Telecom, Inc.	371592
Three River Telco	371525
Three River Communications	379015
United Telephone Company of the West dba Embarq	371595
United States Cellular Corporation	379019
Vivian Telephone	391686
Wauneta Telephone	371597
Windstream Nebraska, Inc. f/k/a ALLTEL Nebraska, Inc.	371568